

RECEIVED AND FILED
DATE December 17, 2015

ORDINANCE NO. 2015-008

ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Randy Robinson

**ORDINANCE ANNEXING TERRITORY BEING GENERALLY BOUNDED BY
AND IN THE GENERAL VICINITY OF US 23 IN THE AREA OF
JENNY'S CREEK**

WHEREAS, the territory annexed, consisting of approximately 332.079 acres of land, more or less, in the general vicinity of, and being generally bounded by US 23 in the area of Jenny's Creek, which territory is identified on the attached map marked Exhibit A and more particularly described below, is contiguous to the City of Paintsville, Kentucky and of urban character or suitable for urban development without unreasonable delay; and

WHEREAS, on June 8, 2015, the City of Paintsville City Council enacted Ordinance 2015-005, declaring the desirability of and the City of Paintsville's intent to annex the below described territory pursuant to KRS 81A.420; and

WHEREAS, the City of Paintsville, pursuant to KRS 81A.420, waited more than sixty (60) days from the enactment of Ordinance 2015-005 and received no valid petition to place the question of annexation upon a ballot; and

WHEREAS, the City of Paintsville has not otherwise been challenged in a court of law in proceeding with annexation of the below described property.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF PAINTSVILLE, KENTUCKY, AS FOLLOWS:

1. The territory described below, a map of which is attached to this ordinance as Exhibit A and is fully incorporated into this ordinance, is hereby annexed into the City of Paintsville, Kentucky:

TRACT I

Beginning at a point in the Right of Way of US 23; having a coordinate of N: 2189352.35, E: 2482177.35 being in Kentucky South NAD 83 Coordinate system.

Thence leaving said Right of Way and running the next 37 consecutive calls;

- 1) N 62°28'02" E a distance of 170.87';
- 2) N 62°30'11" E a distance of 817.50';
- 3) N 57°13'11" E a distance of 318.61';
- 4) N 15°50'38" E a distance of 64.28';
- 5) N 35°51'20" E a distance of 165.16';
- 6) N 41°29'49" E a distance of 253.21';
- 7) N 68°30'29" E a distance of 147.12';
- 8) N 61°27'17" E a distance of 216.53';
- 9) N 65°22'43" E a distance of 200.02';
- 10) N 63°20'48" E a distance of 110.12';
- 11) N 14°25'06" E a distance of 230.92';
- 12) N 18°43'56" E a distance of 29.86';
- 13) N 29°48'14" E a distance of 81.85';
- 14) N 37°17'04" E a distance of 43.14';
- 15) N 41°56'47" E a distance of 67.83';
- 16) N 46°17'33" E a distance of 116.00';
- 17) N 39°37'35" E a distance of 493.15';
- 18) N 21°18'25" W a distance of 576.58';
- 19) N 20°22'41" E a distance of 111.56';
- 20) N 71°54'14" E a distance of 619.97';
- 21) N 44°59'44" W a distance of 89.61';
- 22) N 30°10'35" W a distance of 338.24';
- 23) N 40°15'38" W a distance of 355.40';
- 24) N 21°49'56" W a distance of 432.54';
- 25) N 33°26'21" W a distance of 189.36';
- 26) N 28°11'08" W a distance of 206.38';
- 27) N 10°24'49" W a distance of 215.76';
- 28) N 02°54'15" W a distance of 96.12';
- 29) N 46°18'05" W a distance of 431.49';
- 30) N 41°12'35" W a distance of 436.52';
- 31) N 44°36'48" W a distance of 312.32';
- 32) N 63°55'03" W a distance of 195.38';
- 33) N 65°41'09" W a distance of 208.60';
- 34) N 54°20'11" W a distance of 156.00';
- 35) N 39°47'59" W a distance of 289.36';
- 36) N 01°19'29" W a distance of 55.36';
- 37) N 88°32'42" W a distance of 389.66', said point being in the Right of Way of US 23 and US 460;

Thence running with the Right of Way the next 24 consecutive call back to the point of beginning;

- 1) S 00°56'59" E a distance of 387.50';
- 2) S 17°03'56" W a distance of 355.30';
- 3) S 46°56'38" W a distance of 525.56';
- 4) S 53°18'28" W a distance of 179.01';
- 5) S 45°31'39" W a distance of 223.44';
- 6) S 05°56'14" W a distance of 97.12';
- 7) S 36°34'30" W a distance of 270.40';
- 8) S 22°35'29" W a distance of 334.83';
- 9) S 13°36'41" E a distance of 343.36';
- 10) S 04°32'29" E a distance of 832.34';
- 11) S 10°30'54" W a distance of 155.90';
- 12) S 11°00'53" E a distance of 401.99';
- 13) S 05°27'51" E a distance of 392.44';
- 14) S 36°59'39" W a distance of 256.47';
- 15) S 03°46'34" W a distance of 96.05';
- 16) S 27°17'11" E a distance of 321.46';
- 17) S 19°24'41" E a distance of 352.05';
- 18) S 89°56'30" E a distance of 179.45';
- 19) S 33°25'41" E a distance of 320.98';
- 20) S 62°03'47" W a distance of 53.00';
- 21) S 08°43'57" W a distance of 132.44';
- 22) S 36°51'47" E a distance of 170.42';
- 23) S 12°11'39" E a distance of 216.53';
- 24) S 06°47'44" E a distance of 319.94'; which is the point of beginning,

Having an area of 14,099,981.87 square feet or 323.69 acres.

TRACT II

Beginning at a point in the Right of Way of US 23; having a coordinate of N: 2186013.55, E: 2484109.28 being in Kentucky South NAD 83 Coordinate system.

Thence leaving said Right of Way and running with Jenny's Creek the next 14 consecutive calls;

- 1) N 30°59'09" E a distance of 112.36';
- 2) N 21°11'03" E a distance of 163.10';
- 3) N 30°27'41" E a distance of 97.11';
- 4) N 34°01'25" E a distance of 98.83';
- 5) N 22°13'26" E a distance of 63.57';
- 6) N 05°18'37" E a distance of 211.23';
- 7) N 04°22'00" W a distance of 270.62';
- 8) N 03°55'10" W a distance of 378.35';

- 9) N 16°15'34" W a distance of 194.05';
- 10) N 40°05'53" W a distance of 71.24';
- 11) N 64°10'41" W a distance of 85.92';
- 12) S 84°07'52" W a distance of 58.16';
- 13) S 78°25'07" W a distance of 95.39';
- 14) S 70°36'19" W a distance of 114.68';

Thence leaving Jenny's Creek and running with the Right of Way of US 23 the next 11 consecutive calls back to the point of beginning;

- 1) S 35°08'35" E a distance of 39.29';
- 2) S 28°48'54" E a distance of 221.77';
- 3) S 17°51'54" E a distance of 278.04';
- 4) S 04°52'28" E a distance of 205.90';
- 5) S 06°52'33" W a distance of 232.33';
- 6) S 40°17'02" E a distance of 151.37';
- 7) S 59°03'48" E a distance of 125.77';
- 8) S 07°07'22" W a distance of 31.81';
- 9) S 87°02'49" W a distance of 221.66';
- 10) S 05°41'24" W a distance of 329.52';
- 11) S 44°27'33" E a distance of 94.72'; which is the point of beginning,

Having an area of 365,433.65 square feet, 8.389 acres

2. The provisions of this ordinance are hereby declared to be severable and, if any section, phrase or provision shall, for any reason, be declared invalid, such declaration of invalidity shall not affect the validity of the remainder of this ordinance.

3. All prior municipal orders or ordinances or parts of any municipal order or ordinance in conflict herewith are hereby repealed.

4. This ordinance shall become effective upon passage, approval and publication as required by law.

5. This ordinance is adopted pursuant to KRS 83A.060 in that it was introduced and given first reading on the 22 day of October, 2015, and given a second reading on the 9 day of November, 2015; and said ordinance shall be in full force and effect upon the signature, recordation and publication as required pursuant to KRS 81A.060, KRS Chapter 424 and all other applicable law.

FIRST READING: October 22, 2015
SECOND READING: November 9, 2015
PUBLICATION DATE: November 18, 2015

ADOPTED: November 9, 2015
APPROVED: Bob Porter
Bob Porter, Mayor

ATTEST:
Virgie Castle
VIRGIE CASTLE, CITY CLERK

CERTIFICATION OF ORDINANCE

I certify that I am the duly qualified City Clerk of the City of Paintsville, Kentucky, and the foregoing 5 pages of Ordinance No. 2015-008 is a true, correct and complete copy duly adopted by the City Council of the City of Paintsville, Kentucky at a duly convened meeting held on November 9, 2015, all as appears in the official records of the City of Paintsville, Kentucky.

WITNESS, my hand and Seal of the City of Paintsville, Kentucky, this 11 day of November, 2015.

Virgie Castle
VIRGIE CASTLE

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Thence leaving said Right of Way and running the next 37 consecutive calls;

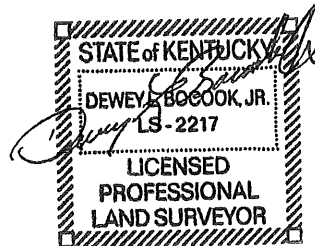
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Tract 2
City of Paintsville Annexation
Discount Auto Brokers

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OVERSIZE MAP INCLUDED WITH
SUBMISSION.

To research the map, contact the
Office of Secretary of State
or the County Clerk.